

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/648,547
Applicant : Abraham Mittelman et al.
Filed : August 25, 2003
TC/A.U. : 1644
Examiner : Dibrino, Marianne Nmn

Confirmation No.: 5161

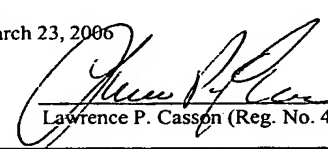
Docket No. : 12354/9
Customer No. : 26646

Mail Stop Amendment
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Date: March 23, 2006

Signature:


Lawrence P. Casson (Reg. No. 46,606)

ELECTION

SIR:

This Election is in response to the Restriction Requirement mailed January 23, 2005. A petition for a one month extension of time is enclosed, extending the time for response up to and including March 23, 2006.

Applicants hereby elect the claims of Group II (Claim 3). Applicants acknowledge that claims of Group I will be entitled to examination upon allowance of a linking claim linking Groups I and II. With regard to the first method step, Applicants elect the species "examining amino acid sequences within the antigen for binding to a MHC class II molecule by a predictive method of comparing amino acid sequences within the antigen to a consensus MHC binding sequence." For the second method step, Applicants elect the species "examining sequence similarity by comparing overlapping amino acid sequences 5, 6, or 7 amino acids residues in length wherein the short overlapping amino acid sequences are offset by 1 or 2 amino acid residues.

The claims that are readable on the elected species are Claims 1, 3, 4, 5, 7, and 9. Applicant requests that, upon allowance of a generic claim, that claims to additional species which include all the limitations of an allowed generic claim be considered.

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Claims 1-19 are pending in the application and have been restricted. The Examiner has determined that Claims 1 and 4-12 are linking claims that link Groups I and II. Also, Claim 13 links Groups III and IV.

Applicants were required to elect one of the following four groups of invention:

- I. Claim 2, drawn to a method of identifying an immunodominant epitope of an MHC class I molecule or a method of producing a polypeptide useful for eliciting an immune response against an antigen in a horse, said immune response restricted by MHC class I, classified in class 435, subclass 7.1.
- II. Claim 3, drawn to a method of identifying an immunodominant epitope of an MHC class II molecule or a method of producing a polypeptide useful for eliciting an immune response against an antigen in a horse, said immune response restricted by MHC class II, classified in class 435, subclass 7.2.
- III. Claims 14-16, drawn to a method of eliciting a therapeutic immune response to an antigen comprising administering a polypeptide that binds to an MHC class II molecule, classified in class 424, subclass 185.1 and class 514, subclass 14.
- IV. Claims 17-19, drawn to a method of eliciting a therapeutic immune response to an antigen comprising administering a polypeptide that binds to an MHC class I molecule, classified in class 424, subclass 185.1 and class 514, subclass 15.

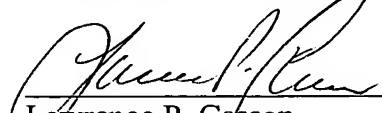
Upon election of Group II, the Applicants were required to elect a single disclosed species of method steps encompass the search for the claims of the other groups.

Applicants respectfully submit that all pending claims are in condition for allowance. Prompt consideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,
KENYON & KENYON, LLP

Date: March 23, 2006

By:


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